

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT
 Thurgood Marshall U.S. Courthouse 40 Foley Square, New York, NY 10007 Telephone: 212-857-8500

MOTION INFORMATION STATEMENT

Docket Number(s): 10-3270; 10-3342 Caption [use short title]

Motion for: Extension of time to file reply brief Viacom Intl. Inc., et al. v. YouTube, Inc., et al., No. 10-3270;
Football Ass'n Premier League Ltd., et al. v. YouTube, Inc., et al.,
No. 10-3342

Set forth below precise, complete statement of relief sought: +

Plaintiffs-Appellants in 10-3270 (Viacom International Inc., et al.) and in 10-3342 (The Football Association Premier League Ltd., et al.) request a two week extension of time in which to file their reply briefs on appeal.

MOVING PARTY: Viacom Intl. Inc. et al. **OPPOSING PARTY:** YouTube, Inc. et al.

Plaintiff Defendant
 Appellant/Petitioner Appellee/Respondent

MOVING ATTORNEY: Theodore B. Olson **OPPOSING ATTORNEY:** Andrew H. Schapiro
[name of attorney, with firm, address, phone number and e-mail]

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Court-Judge/Agency appealed from: United States District Court, Southern District of New York, Honorable Louis L. Stanton

Please check appropriate boxes: **FOR EMERGENCY MOTIONS, MOTIONS FOR STAYS AND INJUNCTIONS PENDING APPEAL:**

Has movant notified opposing counsel (required by Local Rule 27.1): Has request for relief been made below? Yes No
 Yes No (explain): _____ Has this relief been previously sought in this Court? Yes No

Opposing counsel's position on motion: Requested return date and explanation of emergency: _____
 Unopposed Opposed Don't Know

Does opposing counsel intend to file a response: _____
 Yes No Don't Know

Is oral argument on motion requested? Yes No (requests for oral argument will not necessarily be granted)

Has argument date of appeal been set? Yes No If yes, enter date: _____

Signature of Moving Attorney: /s/ Theodore B. Olson **Date:** March 4, 2011 Has service been effected? Yes No [Attach proof of service]

ORDER

IT IS HEREBY ORDERED THAT the motion is GRANTED DENIED.

FOR THE COURT:
 CATHERINE O'HAGAN WOLFE, Clerk of Court

Date: _____ By: _____

**IN THE
UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT**

VIACOM INTERNATIONAL INC., et al.,

Plaintiffs-Appellants,

v.

YOUTUBE, INC., et al.

Defendants-Appellees.

Docket 10-3270-cv

THE FOOTBALL ASSOCIATION
PREMEIR LEAGUE LIMITED, et al.,

Plaintiffs-Appellants,

v.

YOUTUBE, INC., et al.

Defendants-Appellees.

Docket 10-3342-cv

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

**PLAINTIFFS-APPELLANTS' JOINT MOTION FOR
EXTENSION OF TIME TO FILE REPLY BRIEF**

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Pursuant to Federal Rule of Appellate Procedure 27 and Local Rules 27.1 and 31.2(c), Plaintiffs-Appellants in Case Number 10-3270, Viacom International Inc., Comedy Partners, Country Music Television, Inc., Paramount Pictures Corporation, and Black Entertainment Television LLC, and Plaintiffs-Appellants in Case Number 10-3342, The Football Association Premier League Ltd. et al. (collectively, “Appellants”) respectfully request a two-week extension of time, to and including April 28, 2011, to file their reply briefs in this case.

1. Appellants filed their opening briefs on December 3, 2010. The brief for Defendants-Appellees YouTube, Inc., YouTube, LLC, and Google, Inc. (“Appellees”) is due on March 31, 2011. Without an extension, Appellants’ reply briefs will be due April 14, 2011.

2. This case has attracted significant public attention, leading to the filing of numerous *amicus-curiae* briefs in support of Appellants’ position. Appellants anticipate that a substantial number of *amici* will also seek to file briefs in support of Appellees. Under Federal Rule of Appellate Procedure 29(e), these briefs are due seven days after Appellees file their brief. As a result, the current briefing schedule will provide Appellants with only a week to respond to the majority of material filed in support of Appellees’ position.

3. Appellees have requested and received authorization to file a single consolidated brief not to exceed 21,000 words. This expanded brief will increase the burden on Appellants in preparing concise reply briefs.

4. The anticipated unusual volume of *amicus-curiae* briefs and increased length of Appellees' brief constitute "extraordinary circumstance[s]," as contemplated by Local Rule 27.1(f)(1), warranting an extension of time to file Appellants' reply brief. By requesting this extension prior to the receipt of Appellees' brief, Appellants have acted promptly as required under Local Rule 27.1(f)(3).

5. Pursuant to Local Rule 27.1(f)(2), Appellants represent that they have not previously sought an extension of time to file any brief in this court for this case.

6. Appellees have authorized Appellants to inform this Court that they consent to an extension of one week for Appellants to file their reply briefs, but do not consent to the two-week extension that Appellants seek.

DATED: March 4, 2011

Respectfully submitted,

/s/ Theodore B. Olson

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of March, 2011, a true and correct copy of the foregoing Plaintiffs-Appellants' Motion for Extension of Time to File Reply Briefs was served on all counsel of record in this appeal via CM/ECF pursuant to Local Rule 25.1 (h)(1) & (2).

/s/ Theodore B. Olson

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